

**IN THE EASTERN CARIBBEAN SUPREME COURT
HIGH COURT OF JUSTICE
BRITISH VIRGIN ISLANDS
COMMERCIAL DIVISION**



CLAIM NO: BVI HC (COM) 2010/107



BETWEEN:

**Trade and Commerce Bank (In Official Liquidation)
(a company incorporated in the Cayman Islands)**

Claimant

and

Kesten Development Corporation

Defendant

ORDER

Before: The Honourable Justice Edward Bannister QC

Dated: 14 September 2010

Entered: 15 September 2010

UPON hearing William Hare for the Claimant

IT IS HEREBY ORDERED THAT:

1. Judgment be entered for the Claimant, pursuant to Rule 12.4 of the CPR, in default of acknowledgment of service;
2. The Defendant shall pay to the Claimant the sum of US\$15,936,369.00; and
3. The Defendant is to pay the Claimant's costs to be assessed.

BY THE COURT

Registrar

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Between:

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(a company incorporated in the Cayman Islands)**

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and**

Kesten Development Corporation

Defendant

ORDER

Forbes Hare
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Legal Practitioners for the Claimant